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April 22, 2002

VIA FACSIMILE AND U.S. MAIL

Jeffrey M. Oderman
Rutan & Tucker, LLP
611 Anton Boulevard, Fourteenth Floor
Costa Mesa, California 92628-1950

Re: Docket No. 01-AFC-17: Inland Empire Energy Center, LLC Data
Request No. 1
Ref : 30010.00037

Dear Mr. Oderman:

California Energy Commission ("Commission") Staff submitted data requests 162 - 188 to Inland Empire Energy Center, LLC ("IEEC, LLC") on April 4, 2002. Data requests 178 and 179 and the background proceeding those requests ask for information regarding the Romoland School District ("District"). The information requested of IEEC, LLC by Commission Staff is reasonably available to the District and not otherwise readily obtainable to IEEC, LLC. Therefore, IEEC, LLC needs information from the District in order to answer these questions. Pursuant to Title 20, Code of California Regulations, Section 1716, this letter constitutes Data Request No. 1 from IEEC, LLC to the District. On January 18, 2002, the Committee granted the Romoland School District's petition to intervene in this siting proceeding and as of that date the District became a party to this proceeding. As a party to this proceeding the District assumed both the benefits and obligations of a party including responding to data requests. The requested information is necessary to respond to the Commission Staff's most recent data requests; therefore, it is relevant to this proceeding.

INSTRUCTIONS

1. This data request is addressed to Jeffrey M. Oderman, Rutan & Tucker, LLP, the official representative of the District and Roland Skumawitz, Superintendent of the District.

ANN L. TROWBRIDGE
ATROWBRIDGE@DBSR.COM
(916) 441-0131, X6251

01-AFC-17

CALIF ENERGY COMMISSION

APR 24 2002

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2. Please provide a hard copy of the answers to the following:

Ann L. Trowbridge
Downey, Brand, Seymour & Rohwer LLP
555 Capitol Mall, Tenth Floor
Sacramento, CA 95814-4686
(916) 441-0131
FAX: (916) 441-4021
Attorney for IEEC, LLC

In addition, if possible, please provide an e-mail copy of any response that may be provided by that medium to Ms. Trowbridge at atrowbridge@dbsr.com.

3. Please indicate to the Committee and IEEC, LLC as soon as possible but within ten days if the District is unable to provide or objects to providing the information requested. Requests for clarification of a question may be addressed directly to Ms. Trowbridge.

4. Please make every effort to provide all responses by May 4, 2002 so that IEEC, LLC can provide a timely response to the Commission Staff's requests. If you are unable to provide a response by May 22, 2002, please notify Ms. Trowbridge in writing.

5. If you claim that the attorney-client privilege, the work-product rule, or any other privilege is applicable to any document that would otherwise be produced in response to this data request, please provide the following information with respect to each such document:

- (a) State the date of the document;
- (b) Identify each and every author of the document;
- (c) Identify each and every person who prepared or participated in the preparation of the document;
- (d) Identify each and every person who received the document;
- (e) Identify each and every person from whom the document was received;
- (f) State the present location of the document and all copies of it;
- (g) Identify each and every person having custody or control of the document and all copies of it; and
- (h) Provide sufficient further information concerning the document and the circumstances thereof to explain the claim of privilege and to permit the adjudication of the propriety of that claim, including

but not limited to a general description of the subject matter of the document.

DATA REQUESTS

IEEC, LLC would like to prepare a map in response to the Commission Staff request that shows the current stage of development or status of each potential school site. In order to provide accurate and current mapping of existing and proposed school sites requested in Commission Staff data request 178, IEEC, LLC needs to confirm the status of District development at these sites. In addition, this information is needed to respond to data request 179 regarding district plans for new schools or expansions of existing schools to respond to enrollment projections. IEEC, LLC based its evaluation of project impacts on the public record including existing planning documents, the Menifee North Specific Plan ("MNSP") (See Application for Certification at 5.7-26 & 5.7-27).

1. The MNSP, which satisfies the standards of the Perris Union and Romoland School Districts for the reservation of school sites as the MNSP is implemented, identifies three new school sites. (MNSP, p.III-3 and Figure III-1.) Identify by date and the name of preparer all studies commissioned by you concerning the feasibility of constructing new schools at each of those sites. State all facts upon which you base your contention, if any, that any of the three new school sites identified in the MNSP is not suitable for construction of a new school.
2. Produce all documents identified in response to the preceding request.
3. Identify all persons of whom you are presently aware who possess knowledge or information which support your response to Request No. 1, including each person's name, address, telephone number, and other contact information.
4. *The School Site Selection and Approval Guide* states that "A key decision the school district must make is whether the site will be selected by district staff or through a selection team process. The School Facilities Planning Division (SFPD) suggests that a selection team recommend a site or sites to the local board of education." Did the District formed a site selection team? If yes, please provide a list of the selection team members, their affiliation, when the team was formed and any meeting minutes or other documentation regarding the selection team's process. If not please explain how the District is planning to select the new school site.

5. *The School Site Selection and Approval Guide* also includes site screening and ranking criteria "to help focus and manage the selection process." Appendix A includes worksheets to assist the District to assess potential sites. These work sheets have three components: *site selection criteria*, *site selection evaluation* and *comparative evaluation of candidate sites*. The District provided a map at the Commission Staff Workshop for the IEEC project on February 26, 2002. This map included four "potential areas under consideration for new school" as well as the "Ashby school site."

- a. Please provide copies of the site selection criteria for the new school site.
- b. Please provide copies of the Romoland School District's work sheets for the school sites identified on the map.
- c. Please describe when each of these sites became publicly known and by what means did the information become public.

6. Identify all persons of whom you are presently aware who possess knowledge or information which support your response to Request No. 5, including each person's name, address, telephone number, and other contact information.

7. Pursuant to CCR Title 5, Section 14010[c], each site will be evaluated according to its own potential hazards by the California Department of Education (CDE) consultant. In accordance with the SFPD 4.01 School Site Approval Procedures, "School districts desiring the written approval of a new site should contact the assigned School Facilities Consultant at the CDE SFPD. The Consultant will view the site and provide the district with a written evaluation of the site..." Please provide all data and materials completed by the CDE consultant for the Romoland school sites identified on the District map including the Ashby site provided in the Commission workshop on February 26, 2002 including SFPD Form 4.0 School Site Field Review. Please provide the project tracking numbers for each site.

8. SFPD 4.01 School Site Approval Procedures item 6 is a list of document and studies required for school site approval including:

- A. SFPD Form 4.02
- B. SFPD Form 4.03
- C. Legal Description
- D. District Map
- E. Site Map
- F. Site Utilization Diagram
- G. Planning Commission Report
- H. Unused Site Documentation
- I. Master Plan Site Documentations

- J. Hazardous Materials/Air Emissions "Written Findings/Determination"
- K. Geohazards Report
- L. Phase I Environmental Site Assessment and Final Determination from DTSC
- M. CEQA Compliance
- N. Joint Use Agreement (if applicable)
- O. Final Determination Letter from the Office of Airports (if applicable)
- P. Other Studies (if applicable)

Please provide copies of the documentation as available for the Ashby School Site and other District school sites. To the extent that a school site is in a preliminary stage of the approval process, please explain the status of the site evaluation, identify the currently available documentation, and the expected timetable for completion of the documents required for approval, or, alternatively, the criteria for eliminating the site from further consideration.

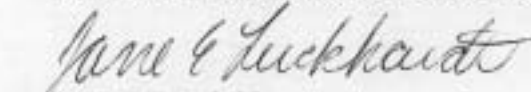
9. Please provide all supporting documentation and records of conversation provided to the CDE that were the basis of their letter to the CEC regarding the IEEC project dated January 30, 2002.
10. Please provide the existing student capacities of the two schools that make up the Romoland School District and the six schools that make up the Perris Union High School District. Additionally, please provide any known plans for new schools or expansion that either District may be considering as well as any enrollment projections that either District may have developed.
11. Please provide the District's analysis of the net usable acreage and enrollment for the Ashby school site and include consistency with the number of acres and enrollment established in Table 1-6 of the 2000 Edition, *School Site Analysis and Development* published by the CDE, or an explanation that sufficient land is not available and the circumstances as detailed in Section 14010(a).

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12. Please provide a tract map that shows the Ashby school site and identify the current status of the tract map at the County of Riverside.

Very truly yours,

DOWNEY, BRAND, SEYMOUR & ROHWER LLP


Ann L. Trowbridge
Jane E. Luckhardt

444203.2
cc: Service List
Greg Lamberg, Calpine Corporation
Michael Hatfield, Calpine Corporation

STATE OF CALIFORNIA

**Energy Resources Conservation
and Development Commission**

In the Matter of:)	Docket No. 01-AFC-17
)	
Application for Certification for the)	PROOF OF SERVICE
INLAND EMPIRE ENERGY CENTER)	
_____)	

I, Cheryl Lauridson, declare that on April 22, 2002, I deposited copies of the attached **INLAND EMPIRE ENERGY CENTER (DOCKET NO. 01-AFC-17); LLC DATA REQUEST NO. 1** in the United States mail at Sacramento, California, with first class postage thereon fully prepaid and addressed to the following:

DOCKET UNIT

Send the original signed document plus the required 12 copies to the address below:

CALIFORNIA ENERGY COMMISSION
DOCKET UNIT, MS-4
Attn: Docket No. 01-AFC-17
1516 Ninth Street
Sacramento, CA 95814-5512
E-mail: docket@energy.state.ca.us

APPLICANT:

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Dublin, CA 94568-3139

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249 East Ocean Blvd., Suite 408
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INTERVENORS:

CURE
c/o Mark Joseph
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& Cardoza
651 Gateway Blvd., Suite 900
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INTERESTED AGENCIES:

Eastern Municipal Water District
Attn: Dick Heil
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P.O. Box 8300
Perris, CA 92572-8300
heild@emwd.org

Electricity Oversight Board
Gary Heath, Executive Director
770 L Street, Suite 1250
Sacramento, CA 95814

Rachel Johnson
Assemblyman Longville's Office
201 N.E. Street, Suite 205
San Bernadino, CA 92401

COUNSEL FOR APPLICANT:

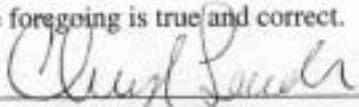
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Paul Clanon, Director
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505 Van Ness Avenue
San Francisco, CA 94102

I declare under penalty of perjury that the foregoing is true and correct.



Cheryl Lauridson